IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Burr et. al.

Application number: 10/711,591

Filed: September 27, 2004

For: *Systems and Methods for Virtual Host Name Roaming*

Attorney Docket No.: 2006579-0272 (CTX-093DV)

Art Unit: 2442

Confirmation No.: 5590

Examiner: Nickerson, Jeffrey L.

MS AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Responsive to the Final Office Action mailed on March 13, 2009, and accompanying a Notice of Appeal to the Board of Appeals and Interferences in the United States Patent and Trademark Office appealing the rejection of Claims 1-30 in the above-referenced case. Applicants request that a pre-appeal brief review be conducted and that consideration be given to the following remarks, pursuant to the July 12, 2005, Official Gazette Notice titled "New Pre-Appeal Brief Conference Pilot Program."

Remarks/Arguments begin on page 2 of this paper.

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REMARKS/ARGUMENTS

Applicants respectfully submit that the Examiner's rejection contains clear errors of fact. Claims 1-6 and 16-21 are rejected under 35 USC § 103(a) as unpatentable over Microsoft Windows 2000/2003 Server as evidenced by "Remote Access VPN Connections" ("Microsoft01") in view of ISA Server 2000/2004 as evidenced by "Common DNS Issues in VPN Networking" ("ISA01") and "Multiple Simultaneous VPN Connections" ("LinuxQuestions.") Claims 7-9, 14-15, 22-24 and 29-30 are rejected under 35 USC § 103(a) as unpatentable over Microsoft01 in view of ISA01 in view of LinuxQuestions and in further view of Judicial Notice of registering DNS servers. Claims 10-11 and 25-26 are rejected under 35 USC § 103(a) as unpatentable over Microsoft01 in view of ISA01 in view of LinuxQuestions and in further view of "Assign Static IP to a VPN user" ("VelocityReviews.") Claims 12-13 and 27-28 are rejected under 35 USC § 103(a) as unpatentable over Microsoft01 in view of ISA01 in view of LinuxQuestions in view of VelocityReviews and in further view of U.S. Patent No. 6,856,676 to Pirot et al. ("Pirot.") Claims 1 and 16 are independent claims.

I. *Microsoft01 Fails to Teach or Suggest Each and Every Element of the Claimed Invention*

The Examiner's assertion that Microsoft01 teaches or suggests assigning a virtual host name comprising a host name uniquely identifying a user from a plurality of users, to a user of a computer contains clear error.

Microsoft01 fails to teach or suggest assigning a virtual host name to a user of a computer because <u>a VPN client is not a user</u> and <u>an IP address is not a virtual host name</u>. As argued in the January 6, 2009 response to the Non-Final Office Action mailed on October 6, 2008, incorporated herein in its entirety, an IP address is not a virtual host name. Further to those arguments, an IP address is not a virtual host name because while an IP address indicates the physical location of a machine, a virtual host name is a name of an entity and does not necessarily indicate the physical location of that entity.

Microsoft01 does not teach or suggest that a VPN client is a user because Microsoft01 clearly describes a dialup client (i.e. dialup computer) that executes a VPN client which can create the network connection with a VPN server. Microsoft01 does not teach that the VPN client is specific to a user of the dialup client, nor does it suggest that only a particular user can

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use the VPN client. Therefore it is entirely possible that two different users of the dialup client could use the same VPN client to connect to the VPN server. Thus the IP address assigned to the VPN client would be specific to the VPN client and not to the users of that client. For these reasons, Microsoft01 does not teach or suggest assigning a virtual host name to a user of a computer.

II. ISA01 Fails to Teach or Suggest Each and Every Element of the Claimed Invention

The Examiner's assertion that ISA01 teaches or suggests assigning a virtual host name comprising a host name uniquely identifying a user from a plurality of users, to a user of a computer contains clear error.

Like Microsoft01, ISA01 also does not teach or suggest assigning a virtual host name to a user of a computer because <u>a VPN client is not a user</u> and <u>an IP address is not a virtual host name</u>. ISA01 does not teach or suggest anything additional that would otherwise suggest that a VPN client could be a user or that an IP address could be a virtual host.

While IAS01 does teach assigning a DNS server host name to a VPN client, ISA01 does not teach assigning a virtual host name to a user such that the virtual host name uniquely identifies the user because, <u>the DNS server host name identifies a DNS server</u>. ISA01 does not suggest assigning a uniquely identifying virtual host name because ISA01 does not teach or suggest that the DNS server is associated with a particular user such that the DNS server host name identifies that user. Thus, ISA01 does not teach or suggest each and every element of the claimed invention.

III. LinuxQuestions Fails to Teach or Suggest Each and Every Element of the Claimed Invention

The Examiner's assertion that LinuxQuestions when combined with Microsoft01 and ISA01 teaches assigning a virtual host name that uniquely identifies the user from a plurality of users contains clear error. Most combinations of ISA01, Microsoft01 and LinuxQuestions would teach or suggest establishing multiple VPN clients where each client is assigned either a DNS server host name or IP address. These combinations teach away from assigning a uniquely identifying virtual host name because a DNS server host name does not identify a user, and an IP address is not a virtual host name. Thus, LinuxQuestions does not teach or suggest each and every element of the claimed invention.

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Respectfully submitted,
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